IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 1685/2001

SOBHASARIA ENGINEERING COLLEGE
Vs.
THE UNIVERSITY OF RAJASTHAN & ANR.

Date: 27.08.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. O.P. Jhanjharia for
Mr. Praveen Balwada for the petitioner.
Mr. A.K. Sharma for the respondents.

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This Court vide order dated 25.11.2005 directed the respondent University to submit an additional affidavit to show that what the University has done so far as the penalty amount is concerned.

In response to the order dated 25.11.2005, the University has filed details submissions. The University has submitted that the Fact Finding Committee was constituted by the Academic Council in its meeting held during 11th, 15h and 18th April, 2000 in connection with the irregular admissions by the various Engineering and Management Institutions affiliated to the University of Rajasthan. Prof. (Mrs.) Pawan Surana was appointed as the Convenor of the Fact Finding Committee and after discussions and deliberations made

by the committee in its meeting held on 26.07.2000, it was though proper to constitute two sub-committees; (i) for Management Institutions of Jaipur and (ii) for Engineering Colleges. The recommendations of the Academic Council for constitution of the Fact Finding Committee was approved by the Syndicate in its meeting held on 22.04.2000.

The Sub-committee for Engineering Colleges was headed by Dr. L.K. Pareek as its Convenor and Dr. (Mrs.) Geetika Kapoor as its member and it was constituted for the purpose of perusal of the relevant records and collecting information about irregular admissions etc. after visiting the respective colleges/institutions.

The Sub-committee including the Sub-committee for Engineering Colleges submitted their reports to the Fact Finding Committee and deliberations and discussions were heard at length by this Committee in a number of meetings in order to resolve the present problem of irregular admissions in professional colleges. The Fact Finding Committee unanimously agreed to make suggestions, future guidelines and recommendations in connection with irregular admissions in the Management and Engineering Colleges during the Sessions 1999-2000 and submitted a report. The

aforesaid report, suggestions etc. of the Fact Finding Committee were considered by the Academic Council in its meeting held on 28.02.2001 and the same were accepted by the Academic Council. The decision to regularise irregular admissions made by the petitioner college has been taken in consonance with the aforementioned report, suggestions etc. of the Fact Finding Committee was approved by the Academic Council and considering the larger interest of the students and also in pursuance of a decision of an Expert Body like the Academic Council, irregular admissions were regularised imposing a penalty of Rs. 2 lacs, against which this writ petition has been preferred by the petitioner-institution.

This Court in a similar case vide judgment dated 28.09.2004 rendered in the case of St. Wilfred's Education Society Vs. State of Rajasthan & Ors., has approved the actions of the respondents and the aforesaid ratio decided by this Court has also been considered.

I have gone through the conduct of the petitioner-institution. It is no doubt that irregular admissions have been made and the interest of the students at large, irregular admissions have been regularised subject to condition to deposit a penalty

of Rs. 2 lacs. The petitioner is not able to make out any case that no irregular admission has been made by the petitioner-institution and thus, no case of any interference with the penalty of Rs. 2 lacs is made out.

In the considered view of the Hon'ble Supreme Court and this Court, looking to the allegations, lenient view has been taken by the respondent University, which requires no interference by this Court.

Consequently, the writ petition fails and the same is hereby dismissed.

The stay application also stands rejected.

(K.S. RATHORE),J.

/KKC/